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Attorneys for the Plaintiffs

**UNITED STATES DISTRICT COURT  
 SOUTHERN DISTRICT OF CALIFORNIA**

VANESSA S. ALLEN, on behalf of  
 herself and all others similarly  
 situated

Plaintiffs,

v.

RICKENBACKER COLLECTION  
 SERVICES

Defendant.

**Case Number: 09-CV-00410-L-POR**

STIPULATION FOR DISMISSAL  
 OF CLASS CLAIMS WITHOUT  
 PREJUDICE AND ALL  
 INDIVIDUAL CLAIMS WITH  
 PREJUDICE

Plaintiff, Vanessa S. Allen, (hereinafter “Plaintiff”), and Defendant Rickenbacker Collection Services, (hereinafter “Defendant” and jointly as “Parties”) hereby stipulate to dismiss all class action claims without prejudice and all of Plaintiff Vanessa S. Allen’s individual claims with prejudice, and in support of this Motion hereby set forth:

1. Plaintiff no longer wishes desires to be the class representative in the instant action, but prefers to proceed with her individual claims.

- 1 2. As to Plaintiff's individual claims, The Parties have reached a settlement.
- 2 3. The Defendant, without acknowledging liability or wrongdoing, and Plaintiff,
- 3 without acknowledging liability or wrongdoing, have agreed to fully and
- 4 completely settle this matter.
- 5 4. The settlement between Plaintiff and Defendant is memorialized in a written
- 6 settlement agreement, now fully executed by Plaintiff and Defendant. Under
- 7 said settlement agreement, in pertinent part, Plaintiff and Defendants mutually
- 8 release each other from all claims.
- 9 5. Plaintiff represents to the Court that all actions required under the settlement
- 10 agreement have now been performed. The Parties thus agree that this Court
- 11 can proceed to dismiss Plaintiff's individual claims with prejudice and the
- 12 Class claims without prejudice.

13

14 Respectfully submitted,

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16 Date: June 18, 2010

**Hyde & Swigart**

17

18 By: /s/ Joshua B. Swigart

19 Joshua B. Swigart

Attorneys for the Plaintiff

20

21 Date: June 18, 2010

**GORDON AND REES**

22 By: s/ Kevin W. Alexander

23 Kevin W. Alexander

24 Attorneys for Defendant

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**Signature Certification**

Pursuant to Section 2(f)(4) of the Electronic Case Filing Administrative Policies and Procedures Manual, I hereby certify that the content of this document is acceptable to Kevin W. Alexander , counsel for RICKENBACKER COLLECTION SERVICES, and that I have obtained Mr. Alexander's authorization to affix his electronic signature to this document.

Date: June 18, 2010

**Hyde & Swigart**

By: /s/ Joshua B. Swigart  
Joshua B. Swigart  
Attorneys for the Plaintiff

**HYDE & SWIGART**  
San Diego, California